

United States District Court

SOUTHERN

DISTRICT OF NEW YORK

David LaPine

Index No.

08CV0429

Calendar No.

AFFIDAVIT
OF
SERVICE

being sworn

Brian Nichols & William Jackson ^{against} sued in their individual capacities, Dennis Miller sued in his individual capacity. ^{Defendant(s) Respondent(s)}

ORANGE COUNTY, NEW YORK STATE:

MICHAEL CRUDELE

says: Deponent is not a party herein, is over 18 years of age and resides at

On 1-29-2008 at 1020A.M. at 330 Rte 376 Hopewell Jct N.Y

deponent served the within summons with notice summons and complaint notice of petition and petition subpoena subpoena duces tecum

66 Hickory Drive, Campbell Hall, NY

 summons, Spanish summons and complaint, the language required by NYCR 2900.2(c), (f) & (h) was set forth on the face of the summons(es) citation United States District Court

defendant (hereinafter
 respondent called therein named
 witness the recipient)

on Dennis Miller

Superintendent

by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said recipient therein.

INDIVIDUAL

1.

by delivering thereto a true copy of each to

2. corporation, by delivering thereto a true copy of each to personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be

CORPORATION

3. Carole A MurraySUITABLE
AGE PERSON4. Town Clerk thereofby delivering thereto a true copy of each to Carole A Murray Town Clerk a person of suitableage and discretion. Said premises is recipient's actual place of business dwelling place usual place of abode within the state.5. a person of suitableby affixing a true copy of each to the door of said premises, which is recipient's actual place of business dwelling place usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereof, having called there6. Deponent talked to at said premises who stated that recipient lived worked there.MAILING TO
RESIDENCE
USE WITH 3 OR 47. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence, at8. and deposited said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State.MAILING TO
BUSINESS
USE WITH 3 OR 49. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to recipient at10. recipient's actual place of business, at11. in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Person:12. and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or13. concerned an action against the recipient.

DESCRIPTION

| | | | | | | |
|--|--|---|---|--|---|--|
| <input type="checkbox"/> Male | <input checked="" type="checkbox"/> White Skin | <input type="checkbox"/> Black Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 14-20 Yrs. | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs. |
| <input checked="" type="checkbox"/> Female | <input type="checkbox"/> Black Skin | <input type="checkbox"/> Brown Hair | <input type="checkbox"/> Balding | <input type="checkbox"/> 21-35 Yrs. | <input checked="" type="checkbox"/> 50"-53" | <input type="checkbox"/> 100-130 Lbs. |
| | <input type="checkbox"/> Yellow Skin | <input checked="" type="checkbox"/> Blonde Hair | <input type="checkbox"/> Mustache | <input checked="" type="checkbox"/> 36-50 Yrs. | <input type="checkbox"/> 54"-58" | <input checked="" type="checkbox"/> 131-160 Lbs. |
| | <input type="checkbox"/> Brown Skin | <input type="checkbox"/> Gray Hair | <input type="checkbox"/> Beard | <input type="checkbox"/> 51-65 Yrs. | <input type="checkbox"/> 59"-60" | <input type="checkbox"/> 161-200 Lbs. |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Red Hair | <input checked="" type="checkbox"/> Glasses | <input type="checkbox"/> Over 65 Yrs. | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs. |

Other identifying features:

WITNESS
FEES14. \$ the authorizing traveling expenses and one day's witness fee: was paid (tendered) to the recipient was mailed to the witness with subpoena copy.15. I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.16. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Michael Crudele